

E-filing

Eric D. Houser (SBN 130079)
Jeffrey S. Allison (SBN 173620)
J. Owen Campbell (SBN 229976)
HOUSER & ALLISON
A Professional Corporation
9970 Research Drive
Irvine, California 92618
Telephone: (949) 679-1111
Facsimile: (949) 679-1112
sclere@houser-law.com

Attorneys for Defendant,
BARCLAYS CAPITAL REAL ESTATE, INC.
dba HOMEQ SERVICING,
erroneously sued herein as HOMEQ SERVICING INC.

ORIGINAL
FILED
MAR 28 2008
CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOHN ALLEN, LAWRENCE
HOLLIDAY,

Plaintiffs,

v.

HOMEQ SERVICING INC.,

Defendants.

Case No.:

C08-01698

NOTICE OF REMOVAL OF
ACTION BASED UPON FEDERAL
QUESTION

[28 U.S.C. § 1441(a)]

FAXED

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant BARCLAYS CAPITAL REAL
ESTATE, INC. dba HOMEQ SERVICING, erroneously sued herein as HOMEQ
SERVICING INC.

NOTICE OF REMOVAL

1 (“Homeq”), hereby removes to this Court the above-captioned action described
2 further below:

3
4 1. A complaint was filed in the Alameda County Superior Court on or
5 about February 28, 2008, entitled John Allen, et al. v. Homeq Servicing, Inc., Case
6 No. RG08373829 (the “State Court Action”). A copy of the summons complaint
7 in the State Court Action is attached hereto as **Exhibit “A.”**

8
9 2. Homeq was served and/or received the summons and complaint on or
10 after February 28, 2008.

11
12 3. Homeq removes this case within 30 days of service, and within one
13 year from the filing of the complaint.

14
15 4. Homeq is the only named defendant in this case. Accordingly, this
16 removal is submitted without joinder by any other defendant.

17
18 5. This action is removable to the instant Court because it originally
19 could have been filed in this Court pursuant to 28 U.S.C. § 1441 because
20 substantial federal questions are alleged and presented in the complaint, and thus
21 jurisdiction exists as conferred by 28 U.S.C. § 1331. Supplemental jurisdiction
22 exists with respect to any remaining claims pursuant to 28 U.S.C. § 1367.

23
24 6. Plaintiffs’ complaint is based upon and alleges violations of Federal
25 Acts, as follows: violation of the Fair Credit Billing Act, 15 U.S.C. §
26 1666(a)(B)(ii), 12 CFR § 226.13. Plaintiff’s right to relief, if any, under the Fair
27
28

NOTICE OF REMOVAL

1 Credit Billing Act depends upon the resolution of substantial questions of Federal
2 Law and confers federal jurisdiction.

3 7. Accordingly, this action is properly removed to this Court pursuant to
4
5 28 U.S.C. § 1441(a) regardless of any diversity of citizenship or amount in
6 controversy.

7
8 DATED: March 28, 2008

HOUSER & ALLISON
A Professional Corporation

9
10
11 By: 

Eric D. Houser

Jeffrey S. Allison

J. Owen Campbell

12
13
14 Attorneys for Defendant
15 BARCLAYS CAPITAL REAL
16 ESTATE, INC.
17 dba HOMEQ SERVICING,
18 erroneously sued herein as HOMEQ
19 SERVICING INC.
20
21
22
23
24
25
26
27
28

NOTICE OF REMOVAL

SUMMONS (CITACION JUDICIAL)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

HomeEq Servicing Inc., Does 1 to 50

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTA DEMANDANDO EL DEMANDANTE):
John Allen, Lawrence Holliday

FILED ALAMEDA COUNTY

FEB 28 2008

CLERK OF SUPERIOR COURT
BY *Alphonse Oute* DEPUTY

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DIAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

CASE NUMBER:
(Número del Caso): **RG08373829**

The name and address of the court is:
(El nombre y dirección de la corte es):
Alameda County Superior Court
1225 Fallon Street
Oakland, CA 94612

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Shawn Ridgell
Ridgell & Lawlor LLP
2128 Broadway
Oakland, CA 94612
(510) 986-1300

DATE:

FEB 28 2008

PAT S. SWEETER

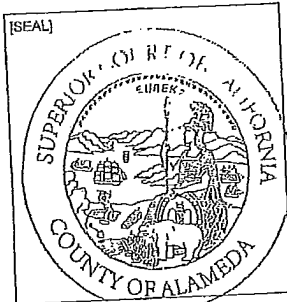
Clerk, by
(Secretario)

Alphonse Oute, Deputy
(Adjunto)

(Fecha)
(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):



3. ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation)
☐ CCP 416.20 (defunct corporation)
☐ CCP 416.40 (association or partnership)
☐ other (specify):
4. ☐ by personal delivery on (date):

- ☐ CCP 416.60 (minor)
☐ CCP 416.70 (conservatee)
☐ CCP 416.90 (authorized person)



Shawn Ridgell (State Bar No. 201179)
 RIDGELL & LAWLOR LLP
 2128 Broadway
 Oakland, Ca 94612
 (510) 986-1300

FILED ALAMEDA COUNTY

FEB 28 2008

CLERK OF SUPERIOR COURT

Attorneys for Plaintiffs JOHN ALLEN & LAWRENCE HOLLIDAY

SUPERIOR COURT OF CALIFORNIA
 IN AND FOR THE COUNTY OF ALAMEDA

(Unlimited Jurisdiction)

JOHN ALLEN, LAWRENCE
 HOLLIDAY

Plaintiffs,

v.

HOMEQ SERVICING INC.,
 DOES 1 TO 50,

Defendant.

ACTION NO: **RC08373829**

COMPLAINT FOR DAMAGES FOR
 NEGLIGENT INTERFERENCE WITH
 PROSPECTIVE ECONOMIC
 ADVANTAGE & VIOLATION OF
 THE FAIR CREDIT BILLING ACT
 [15 U.S.C. §1666(a)(B)(ii), 12 CFR §226.13]

Plaintiffs John Allen and Lawrence Holliday ("Plaintiffs") allege:

1. Plaintiffs, are, and at all times herein mentioned were, residents of Alameda County, California.
2. Defendant HomeEq Servicing Inc. is, and at all times herein mentioned, was, a corporation located in Sacramento, California, and organized and existing under the laws of the State of California as a real estate loan company.
3. Plaintiffs are ignorant of the true names and capacities of defendants sued herein as DOES 1 TO 50, inclusive, and therefore sues these defendants by these fictitious names. Plaintiffs will amend this complaint to allege their true names and capacities when ascertained. Plaintiffs are informed and believe and thereon alleges that each of

1 the fictitiously named defendants is responsible in some manner for the occurrences
2 alleged in this complaint, and that plaintiffs' damages as alleged were proximately
3 caused by such defendants.

4 4. In committing the acts alleged in this complaint, each defendant was the agent,
5 and employee of each other defendant and was acting within the scope of that agency
6 and capacity. The conduct of each defendant was ratified by each co-defendant.

7 5. On or about February, 2007, Plaintiffs attempted to enter into an agreement with
8 Step One Real Estate to purchase a home located at 180 Johnston Road in Sacramento,
9 California, for approximately \$429,000. The purchase of this home was contingent upon
10 Plaintiffs obtaining the necessary financing. Once Plaintiffs had purchased the property
11 at 180 Johnston Road, they were going to rent their current home located in Oakland,
12 California to tenants.

13 6. On or about March 7, 2007, Plaintiffs were denied financing, and as a result of
14 the denial, were unable to purchase the home located at 180 Johnston Road. They were
15 denied financing because there was an entry on Plaintiff John Allen's credit report that
16 showed a delinquency on a loan that Defendant provided to Plaintiff. ("Hereinafter
17 referred to as "The Loan"). Defendant reported that the delinquency occurred on
18 November, 2006. Plaintiff entered into the loan contract with Defendant for the
19 purchase of his home in Oakland, California.

20 7. The entry on Plaintiff John Allen's credit report concerning the loan was false.
21 Plaintiff John Allen did not miss any payments on his loan, and was not late on
22 making payments. The loan had been paid in full since August 30, 2006.

23 8. Plaintiff John Allen contacted Defendant on numerous occasions, by telephone
24 and by letter, in order to resolve the loan dispute. Defendant failed to respond to
25 Plaintiff's numerous communications.

26 9. Defendant reported to the credit bureau that the loan was delinquent. Defendant
27 made no attempts to resolve the alleged loan delinquency prior to reporting the loan to
28

1 the credit bureaus. Defendants did not contact Plaintiffs regarding the loan prior to
2 reporting the loan as delinquent to the credit bureaus.

3 10. On October 9, 2007, several months after Plaintiff John Allen requested that
4 Defendant correct its billing error concerning the loan, Defendant wrote to Plaintiff.
5 In the letter, defendant admitted that the loan was paid in full on August 30, 2006.

6 11. As a direct result of the adverse information on Plaintiff's credit report that was
7 false, Plaintiff John Allen's credit rating was damaged. Plaintiffs have also been denied
8 lower interest rates on other loans, and have lost rental income for their home in
9 Oakland, California.

10 **FIRST CAUSE OF ACTION**
11 **(Negligent Interference with prospective economic advantage)**

12 12. Plaintiff refers to and incorporates herein by reference paragraphs 1 through, 11
13 above.

14 13. Defendant owed Plaintiffs a duty to accurately monitor and bill the loan.
15 Defendant also had a duty to refrain from reporting the loan as delinquent to the credit
16 bureaus until after it made attempts to resolve the loan with Plaintiff.

17 14. Defendant breached this duty by incorrectly billing the loan account, erroneously
18 reporting the loan to the credit bureaus as delinquent, failing to correct the billing error,
19 and by reporting the loan to credit bureaus before attempting to resolve the loan with
20 Plaintiff.

21 15. As a direct and proximate result of Defendant's negligence, Plaintiffs were
22 damaged in an amount according to proof at trial.

23 WHEREFORE, Plaintiffs request relief as hereinafter provided.

24 **SECOND CAUSE OF ACTION**
25 **(Violation of the Fair Credit Billing Act)**

26 16. Plaintiffs refer to and incorporates herein by reference paragraphs 1 through 15,
27 above.

1 17. Defendant violated the provisions of 15 U.S.C. §1666(a)(B)(ii) and Title 12,
 2 §226.13 of the Code of Federal Regulations in connection with the loan in that
 3 Defendant failed to timely respond to Plaintiff's inquiries to Defendant in efforts to
 4 resolve the billing error. Defendants also erroneously reported the loan as delinquent,
 5 to the credit bureaus before attempting to resolve any purported loan delinquencies with
 6 Plaintiff.

7 18. As a result of the above mentioned violations of 15 U.S.C. §1666(a)(B)(ii) and
 8 Title 12, §226.13 of the Code of Federal Regulations by Defendant, Plaintiffs are
 9 entitled to recover from Defendant, the actual damages that Plaintiffs sustained pursuant
 10 to 15 U.S.C. §1640(a)(1).

11 19. Under 15 U.S.C. §1640(a)(3), Plaintiffs are entitled to recover reasonable
 12 attorney's fees and costs incurred in bringing this action in an amount to be determined
 13 by the court.

14 WHEREFORE, Plaintiffs request relief as hereinafter provided

15 **PRAYER**

16 WHEREFORE, Plaintiffs pray for judgment against Defendant as follows:

- 17 1. For actual damages, to be determined by the court;
- 18 2. For consequential damages;
- 19 3. For reasonable attorney's fees;
- 20 4. For costs of suit herein incurred; and
- 21 5. For any and all other relief that is just and proper.

22 Dated: February 28, 2008

RIDGELL & LAWLOR LLP

23 By: 

24 Shawn Ridgell
 25 Attorney for Plaintiffs
 26
 27
 28

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is 9970 Research Drive, Irvine, California 92618.

On March 28, 2008, I served the following document described as:

NOTICE OF REMOVAL OF ACTION BASED UPON FEDERAL QUESTION [28 U.S.C. § 1441(a)]

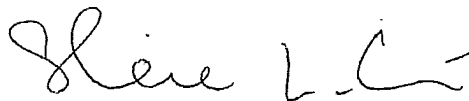
On the following interested parties in this action:

Shawn Ridgell
RIDGELL & LAWLOR LLP
2128 Broadway
Oakland, CA 94612
(510) 986-1300

☒ VIA MAIL -- By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on the date following ordinary business practices. I am readily familiar with my firm's business practice and collection and processing of mail with the United States Postal Service and correspondence placed for collection and mailing would be deposited with the United States Postal Service at Irvine, California, with postage thereon fully prepaid that same day in the ordinary course of business.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Executed on March 28, 2008, at Irvine, California.



Sherie L. Cleeré

NOTICE OF REMOVAL

JS 44 (Rev. 12/07) (cand rev 1-16-08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS

JOHN ALLEN, LAWRENCE HOLLIDAY

DEFENDANTS

HOMERQ SERVICING INC.

(b) County of Residence of First Listed Plaintiff Alameda
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Sacramento
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Shawn Ridgell (510) 986-1300
RIDGELL & LAWLOR LLP
2128 Broadway
Oakland, CA 94612

Attorneys (If Known)

Eric Houser/Jeffrey S. Allison (949) 679-111
HOUSER & ALLISON, APC
9970 Research Drive
Irvine, CA 92618

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	PERSONAL PROPERTY	<input type="checkbox"/> 660 Occupational Safety/Health	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 371 Truth in Lending	LABOR	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 380 Other Personal	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 720 Labor/Mgmt. Relations & Disclosure Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	<input type="checkbox"/> 740 Railway Labor Act	FEDERAL TAX SUITS	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 892 Economic Stabilization Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	IMMIGRATION		<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 463 Habeas Corpus - Alien Detainee		<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input checked="" type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 440 Other Civil Rights			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. Section 1441(a)

Brief description of cause:
Federal Fair Credit Billing Act

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE".

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)

☒ SAN FRANCISCO/OAKLAND ☐ SAN JOSE

DATE

March 28, 2008

SIGNATURE OF ATTORNEY OF RECORD

